

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CHARLES CARPENTER,

Plaintiff,

v.

LOUIS DEJOY, POSTMASTER GENERAL,

UNITED STATES POSTAL SERVICE

Defendant.

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No. 4:22-cv-00601-JAR

MEMORANDUM AND ORDER

This matter is before the Court on Defendant's Motion for Leave to File Amended Answer to Plaintiff's Second Amended Complaint. ECF No. 43. Defendant DeJoy supported his motion with a Memorandum in Support (ECF No. 44) and attached both a marked-up and clean version of his proposed Amended Answer (ECF Nos. 43-1 and 43-2). Defendant notes that Plaintiff Charles Carpenter objects to the Motion, but Plaintiff has not filed a Response and the time to do so has passed. The Court has considered Defendant's submissions and, for good cause shown, will grant Defendant's motion.

Defendant explains that new counsel took over this case sometime around early November, 2023, after Defendant's previous counsel retired. Defendant's new counsel wishes to add some affirmative defenses to its Answer to Plaintiff's Second Amended Complaint that were not included by previous counsel. *See* ECF No. 43-1 and 43-2. Under Federal Rule of Civil Procedure 15(a)(2), "[t]he court should freely give leave [to amend] when justice so requires." Because this case is still in its early stages, the Court finds that Defendant's proposed amended Answer will not prejudice Plaintiff or cause any foreseeable delay.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to File Amended Answer to Second Amended Complaint (ECF No. 43) is **GRANTED**. The Clerk of Court is directed to detach Defendant's clean copy of its Proposed Amended Answer (ECF No. 43-2) and separately file it as Defendant's Amended Answer to Plaintiff's Second Amended Complaint.

Dated this 4th day of January, 2024.

A handwritten signature in black ink, reading "John A. Ross", is positioned above a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE